

Application No. 10/733,684  
Amendment "C" dated November 7, 2006  
Reply to Office Action mailed June 15, 2006

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### REMARKS

By this paper, claims 7, 10, 11, 16-18, 22 and 25-27 have been amended, and claim 19 has been cancelled. Upon entry of the foregoing amendment, claims 1-18 and 20-27 will remain pending in this application. In view of the amendments to the claims and the following remarks, Applicants respectfully request reconsideration and allowance.

### Initialing PTO-1449 Form

As a preliminary matter, Applicants respectfully request the Examiner to initial the reference designated as "WO 03/101543 A1" on the Information Disclosure citation form (also known as Form PTO 1449) and please return it to the undersigned.

### The Allowed Claims

The Examiner has allowed claims 1-9 and 24-27. Claims 7 and 25-27 have been amended, however, to further clarify the recited language of these respective claims, does not narrow the scope of these respective claims, and was amended not to overcome any prior art.

### The Claims are in Condition For Allowance

The Examiner rejected claims 10-23 under 35 U.S.C. § 112, second paragraph as being indefinite due to the phrase "retraction of the lift motor" in claims 10 and 18. In response, claims 10 and 18 have been amended to remove any possible indefiniteness. At the same time, Applicants respectfully submit that these claims are patentable over the prior art. Thus, Applicants submit that the Section 112 rejections (as well as the resulting objections to the

NOV 07 2006

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drawings) have been overcome and these claims, as well as claims depending from claims 10 and 18, are in condition for allowance.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims, claims 1-18 and 20-27, are in condition for allowance. Reconsideration of the Final Office Action and an allowance of the claims are respectfully requested.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, Applicants respectfully request that the Examiner contact the undersigned attorney.

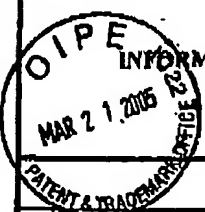
Respectfully submitted,



William R. Richter  
Attorney for Applicants  
Registration No. 43,879  
Customer No. 022913  
Telephone No. 801.533.9800

Date: November 7, 2006

WRR:paw  
PROPOSED AMEND C

 <b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>				Docket Number (Optional) <b>13914.869</b>		Application Number <b>10/733,684</b>		
				Applicant(s) <b>Cutler, et al.</b>				
				Filing Date <b>December 11, 2003</b>		Group Art Unit <b>3764</b>		
<b>U.S. PATENT DOCUMENTS</b>								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<i>AC</i>	1	D421,779	3/2000	Pinget, et al.	D21	669		
<i>AC</i>	2	D447,780	9/2001	Arnold, et al.	D21	669		
<i>AC</i>	3	D450,792	11/2001	Kuo	D21	669		
<i>AC</i>	4	4,913,396	4/1990	Dalebout, et al.	248	649		
<i>AC</i>	5	5,029,801	7/1991	Dalebout, et al.	248	649		
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<b>FOREIGN PATENT DOCUMENTS</b>								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	1	WO 03/101543 A1	12/11/03	Germany	A63B	22/02		✓
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>								
<i>AC</i>	1	Reebok Store — Reebok RX 7200 Treadmill w/10 workout options, <a href="http://store.reebok.com/product/index.jsp">http://store.reebok.com/product/index.jsp</a> , November 3, 2003 (11 pages).						
<i>AC</i>	2	Treadlimber by Nautlius, Copyright 2003 (1 page).						
EXAMINER <i>Wm</i>				DATE CONSIDERED <i>8-30-05</i>				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								

OIP E INFORMATION DISCLOSURE CITATION MAR 21 2005 PATENT & TRADEMARK OFFICE				Docket Number (Optional) 13914.869		Application Number 10/733,684		
Use several sheets if necessary				Applicant(s) Cutler, et al.		Group Art Unit 3764		
				Filing Date December 11, 2003				
U.S. PATENT DOCUMENTS								
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILED DATE IF APPROPRIATE	
AK	5	5,085,426	2/1992	Wanzer, et al.	272	69		
AK	7	5,163,885	11/1992	Wanzer, et al.	482	54		
AK	8	5,352,167	10/1994	Ulicny	482	54		
AK	9	5,372,559	12/1994	Dalebout, et al.	482	54		
AK	10	5,683,332	11/1997	Watterson, et al.	482	54		
U.S. PATENT APPLICATION PUBLICATIONS								
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILED DATE IF APPROPRIATE	
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
	3	Reebok User's Manual - ACD1 Treadmill, Copyright 1998 (26 pages)						
	4	Reebok User's Manual - ACD2 Treadmill, Copyright 1998 (26 pages)						
EXAMINER AK				DATE CONSIDERED 9-1-05				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								

Form PTO-A820  
(also form PTO-1449)

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<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>					Docket Number (Optional) <b>13914.869</b>		Application Number <b>10/733,684</b>	
					Applicant(s) <b>Cutler, et al.</b>			
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<b>U.S. PATENT DOCUMENTS</b>								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<i>MC</i>	16	6,273,843	8/2001	Lo	482	54		
<i>MC</i>	17	6,432,026	8/2002	Wang, et al.	482	54		
<i>MC</i>	18	6,461,275	10/2002	Wang, et al.	482	8		
<i>MC</i>	19	6,475,121	11/2002	Wang, et al.	482	54		
<i>MC</i>	20	6,533,707 B2	3/2003	Wang, et al.	482	54		
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<b>FOREIGN PATENT DOCUMENTS</b>								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>								
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>			
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Docket Number (Optional) 13914.869		Application Number 10733,684		
				Applicant(s) Cutler, et al.				
				Filing Date December 11, 2003		Group Art Unit 3764		
U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL	REV	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
K	11	5,718,657	2/1998	Dalebout, et al.	482	54	RECEIVED	
K	12	5,860,893	1/1999	Watterson, et al.	482	54	CENTRAL FAX CENTER	
K	13	6,050,923	4/2000	Yu	482	54	NOV 07 2006	
K	14	6,132,340	10/2000	Wong, et al.	482	54		
AC	15	6,261,209	7/2001	Coody	482	54		
U.S. PATENT APPLICATION PUBLICATIONS								
*EXAMINER INITIAL	REV	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
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							YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
AC	5	Reebok User's Manual -- ACD3 Treadmill, Copyright 1998 (30 pages).						
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